

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:06CR364
)
vs.) ORDER
)
ROBERT ROOSEVELT HOUSTON,)
)
Defendant.)

This matter is before the court on the motion of defendant Robert Roosevelt Houston (Houston) to file pretrial motions out of time (Filing No. 24). The motion is granted and Houston shall have **to January 31, 2007**, in which to file any pretrial motions.

The additional **time** arising as a result of the granting of the motion, i.e., the time between **January 8, 2007** (the original motion deadline) **and January 31, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

IT IS SO ORDERED.

DATED this 26th day of January, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge